

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CHAPLAIN HARRY FORE,

Plaintiff,

-against-

DENIS R. MCDONOUGH, *Secretary of*
Veterans Affairs,

Defendant.
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AZRACK, United States District Judge:

For Online Publication Only

ORDER

23-CV-3610 (JMA)(ST)

**FILED
CLERK**

11:47 am, Aug 18, 2023

**U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE**

On May 11, 2023 Chaplain Harry Fore (“Plaintiff”), acting *pro se*, filed a complaint together with an application to proceed *in forma pauperis* (“IFP”). (ECF Nos. 1–2.) Following the denial of Plaintiff’s IFP application (ECF No. 10), on August 16, 2023, Plaintiff paid the Court’s filing fee. (ECF No. 12; see Receipt No. 200002165.)

Rule 4(m) of the Federal Rules of Civil Procedure provides:

If a defendant is not served within 90 days after the complaint is filed, the court — on motion or on its own after notice to the plaintiff — must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Although the complaint was filed more than 90 days ago, the Court finds good cause to extend the Rule 4(m) deadline in light of the pendency of Plaintiff’s IFP application and delays caused by his change of address. (See ECF Nos. 6, 8–10.) **However, if service is not made upon the defendant by September 29, 2023, or if Plaintiff fails to show good cause why such service has not been made, the complaint will be dismissed without prejudice, without further notice.¹ Plaintiff is to provide a copy of this Order to the defendant along with the**

¹ The Court encourages Plaintiff to consult with the Hofstra Law *Pro Se* Clinic located in the Central Islip Courthouse, which can provide free information, advice, and limited scope legal assistance to non-incarcerated *pro se* litigants. The Court notes that the *Pro Se* Clinic is not part of, nor affiliated with, the United States District Court.

summons and complaint and shall file proof of service with the Court within 14 days of service.

Plaintiff is required to advise the Clerk of Court of any future changes of address. Failure to keep the Court informed of Plaintiff's current address may result in dismissal of the case.

The Clerk of Court is respectfully directed to mail a copy of this Order to Plaintiff at his address of record.

SO ORDERED.

Dated: August 18, 2023
Central Islip, New York

/s/ (JMA)
JOAN M. AZRACK
UNITED STATES DISTRICT JUDGE

Consultations with the *Pro Se* Clinic can be conducted remotely via telephone. Plaintiff may contact the *Pro Se* Clinic to make an appointment by email at PSLAP@Hofstra.edu or by phone at (631) 297-2575.